

Shakowsky	Stark	Turner
Schiff	Stearns	Udall (CO)
Schrock	Stenholm	Udall (NM)
Scott	Strickland	Upton
Sensenbrenner	Stump	Velázquez
Serrano	Stupak	Visclosky
Shadegg	Sununu	Vitter
Shaw	Sweeney	Walden
Shays	Tancredo	Walsh
Sherman	Tanner	Wamp
Sherwood	Tauscher	Waters
Shimkus	Tauzin	Watkins (OK)
Shows	Taylor (MS)	Watson (CA)
Shuster	Taylor (NC)	Watt (NC)
Simmons	Terry	Watts (OK)
Simpson	Thomas	Weiner
Skeen	Thompson (CA)	Weldon (FL)
Skelton	Thompson (MS)	Weller
Slaughter	Thornberry	Wexler
Smith (MI)	Thune	Whitfield
Smith (NJ)	Thurman	Wicker
Smith (TX)	Tiahrt	Wilson
Smith (WA)	Tiberi	Wolf
Snyder	Tierney	Woolsey
Solis	Toomey	Wu
Souder	Towns	Wynn
Spratt	Trafigant	Young (FL)

NAYS—9

Barr	Collins	Herger
Berry	Flake	Paul
Bonilla	Goode	Rohrabacher

NOT VOTING—24

Andrews	Johnson, Sam	Reyes
Camp	Kingston	Roukema
Cubin	Kucinich	Sanchez
DeFazio	LaTourette	Saxton
Dicks	Meehan	Sessions
Foley	Meek (FL)	Waxman
Gutierrez	Ney	Weldon (PA)
Hostettler	Quinn	Young (AK)

□ 1125

So (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

The title of the concurrent resolution was amended so as to read: "Concurrent resolution encouraging the development of strategies to reduce hunger and poverty, and to promote free market economies and democratic institutions, in sub-Saharan Africa."

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER
PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Any record votes on postponed questions will be taken after debate has concluded on all motions to suspend the rules.

BEAR RIVER MIGRATORY BIRD
REFUGE VISITOR CENTER ACT

Mr. HANSEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3322) to authorize the Secretary of the Interior to construct an education and administrative center at the

Bear River Migratory Bird Refuge in Box Elder County, Utah.

The Clerk read as follows:

H.R. 3322

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Bear River Migratory Bird Refuge Visitor Center Act".

SEC. 2. FINDINGS.

Congress finds the following:

(1) The Bear River marshes have been a historical waterfowl oasis and an important inland waterfowl flyway for thousands of years.

(2) Congress created the Bear River Migratory Bird Refuge as one of the first National Wildlife Refuges, for the purpose of protecting waterfowl habitat and migratory birds, educating the public regarding, and enhancing public appreciation of, waterfowl habitat and migratory birds.

(3) The Bear River Migratory Bird Refuge was virtually destroyed by the devastating floods that occurred between 1983 and 1985.

(4) Refuge employees, aided by volunteers, have taken valiant actions to rebuild the Refuge by restoring habitat, increasing its attractiveness to waterfowl, reducing waterfowl botulism, and providing recreational and educational opportunities to the public.

(5) The Bear River Migratory Bird Refuge lacks a functional education and administrative center.

(6) The creation of such a facility would significantly enhance public appreciation of waterfowl and the need to preserve waterfowl habitat.

(7) Congress has taken significant steps to provide funding for the construction of an education and administrative center.

SEC. 3. DEFINITIONS.

For the purpose of this Act, the following definitions apply:

(1) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(2) REFUGE.—The term "Refuge" means the Bear River Migratory Bird Refuge in Box Elder County, Utah.

(3) EDUCATION AND ADMINISTRATIVE CENTER.—The term "Education and Administrative Center" means the facility identified in the Environmental Assessment dated 1991 and entitled "Restoration and Expansion of the Bear River Migratory Bird Refuge".

SEC. 4. AUTHORIZATION OF CONSTRUCTION OF
THE EDUCATION CENTER.

(a) CONSTRUCTION.—The Secretary shall construct the Education and Administrative Center at the Refuge for the purposes of providing for the interpretation of resources of the Refuge for the education and benefit of the public, the advancement of research, protection, and health of waterfowl habitat, and for the administration of the Bear River Migratory Bird Refuge.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated \$11,000,000 to carry out subsection (a).

SEC. 5. MATCHING CONTRIBUTIONS REQUIREMENTS.

(a) DONATION OF FUNDS AND SERVICES.—The Secretary may accept donations of funds and services from nonprofit organizations, State and local governments, and private citizens for the construction of the Education and Administrative Center.

(b) MATCHING FUNDS.—The Secretary may not require matching funds or contributions in kind with a combined total value of more than \$1,500,000 for construction of the Education and Administrative Center.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. HANSEN) and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentleman from Utah (Mr. HANSEN).

Mr. HANSEN. Mr. Speaker, I yield myself such time as I may consume.

The Bear River marshes in the northern portion of the Great Salt Lake have been a waterfowl oasis and an important inland waterfowl flyway for centuries, and I am pleased that the House is taking action to improve research opportunities and educational experiences at the refuge.

To give a little history of the Bear River marshes, in 1843, explorer John C. Fremont described the area by saying "The waterfowl made a noise like thunder, as the whole scene was animated with waterfowl." Later, settlers moved in and began draining the marshes so slowly that no one noticed until 1910 when botulism killed over 2 million birds and another deadly outbreak in 1920 killed 1.5 million birds. In 1928, at the urging of many individuals and organizations, Congress turned this unique area into a National Wildlife Refuge. The refuge soon became a popular attraction for various groups from sportsmen and school groups to wildlife photographers.

Then came Utah's 100-year floods of 1983 and 1985 when there was a man-made river running down State Street in Salt Lake City and Glen Canyon Dam was spilling over. Those wet years also caused the rising Great Salt Lake to breach the refuge dikes and saltwater contaminated wildlife habitat, destroyed marsh vegetation and destroyed the newly constructed visitors and administrative facilities.

In 1989, the water finally receded, and since that time refuge employees and scores of volunteers have worked tirelessly cleaning debris, moving 1 million cubic yards of earth, restoring 47 water control structures and 47 miles of dikes, and purchasing easements to restore the habitat to its previous condition.

□ 1130

Mr. Speaker, thanks to their good efforts, the refuge once again attracts hundreds of waterfowl and an increasing number of human visitors. There are 221 species of birds that have been recorded at the refuge, and 206 of those constantly come back each year. However, the refuge still lacks a functional education and administrative center which denies the public a rich educational opportunity.

I have worked with my colleagues on the Committee on Appropriations and with the Senate Committee on Appropriations to provide funding for the reconstruction of these facilities. Local communities, the Friends of Bear River

Bird Refuge and other nonprofit groups have demonstrated their interest and dedication to a research and education center by raising an additional \$1.5 million for the project.

This bill recognizes the efforts of the refuge staff, the community, and the local Friends group to rebuild the refuge. Between the prior appropriations and the contribution from local supporters, over 80 percent of the funding has already been secured. This is a good bill.

Finally, I would like to compliment Al Trout, the refuge manager, who has worked so diligently to put this together, a truly dedicated public servant.

Mr. Speaker, I reserve the balance of my time.

Mrs. CHRISTENSEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am pleased to support the legislation of the distinguished gentleman from Utah (Mr. HANSEN) which would authorize the construction of a new education and administrative center at one of our Nation's oldest migratory bird refuges. It was unfortunate that floods destroyed the center nearly 18 years ago. I understand the frustration of the gentleman from Utah (Mr. HANSEN) that a new facility has not been built to replace the original building.

As Members may recall, the 1997 National Wildlife Refuge Improvement Act established environmental education and resource interpretation as priority uses at all national wildlife refuges. Education centers like the one planned for Bear River are essential to ensure that the Fish and Wildlife Service promotes the wildlife wonders throughout our national wildlife refuge system and generates public awareness and appreciation for these resources.

Mr. Speaker, I urge Members to support this legislation. I look forward to working with both the gentleman from Utah (Mr. HANSEN) and our ranking member, the gentleman from West Virginia (Mr. RAHALL), who adds his commendation and support for the bill to improve visitor services within our national wildlife refuges.

Mr. MATHESON. Mr. Speaker, it is with great pleasure that I rise today in support of the Bear River Migratory Bird Refuge Visitor Center Act. This legislation will allow the Refuge to construct an educational and administrative headquarters. It is my hope that bird enthusiasts throughout the West will be able to come to see the thousands of birds that visit the area each year and hear what explorer John C. Fremont called "a noise like thunder."

The Refuge was created by Congress in 1928 to ensure the survival of the birds and natural wetlands of the area. Unfortunately, due to massive flooding in the 1983 to 1985, the entire Refuge was destroyed and the wetlands completely covered with water.

Today, the Refuge consists of 74,000 acres. In 1993, land acquisition added nearly 9,000

acres of uplands, wetlands, and mudflats. The historic 65,000 acres of the Refuge, consisting mainly of marsh, open water, and mudflats, have slowly seen salt deposits from the flood flushed out. Now, the wetland is on the verge of full recovery, and with marsh plants thriving, birds are returning in increasing numbers to the Refuge.

I am excited to see this legislation come before the body. I strongly believe that this bill will be beneficial to the Bear River Migratory Bird Refuge habitat by increasing its attractiveness to birds, and to people.

Mrs. CHRISTENSEN. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. HANSEN. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. GILLMOR). The question is on the motion offered by the gentleman from Utah (Mr. HANSEN) that the House suspend the rules and pass the bill, H.R. 3322.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

FERN LAKE CONSERVATION AND RECREATION ACT OF 2001

Mr. RADANOVICH. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2238) to authorize the Secretary of the Interior to acquire Fern Lake and the surrounding watershed in the States of Kentucky and Tennessee for addition to Cumberland Gap National Historical Park, and for other purposes, as amended.

The Clerk read as follows:

H.R. 2238

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Fern Lake Conservation and Recreation Act of 2001".

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—The Congress finds the following:

(1) Fern Lake and its surrounding watershed in Bell County, Kentucky, and Claiborne County, Tennessee, is within the potential boundaries of Cumberland Gap National Historical Park as originally authorized by the Act of June 11, 1940 (54 Stat. 262; 16 U.S.C. 261 et seq.).

(2) The acquisition of Fern Lake and its surrounding watershed and its inclusion in Cumberland Gap National Historical Park would protect the vista from Pinnacle Overlook, which is one of the park's most valuable scenic resources and most popular attractions, and enhance recreational opportunities at the park.

(3) Fern Lake is the water supply source for the city of Middlesboro, Kentucky, and environs.

(4) The 4500-acre Fern Lake watershed is privately owned, and the 150-acre lake and part of the watershed are currently for sale, but the Secretary of the Interior is precluded by the first section of the Act of June 11, 1940

(16 U.S.C. 261), from using appropriated funds to acquire the lands.

(b) PURPOSES.—The purposes of the Act are—

(1) to authorize the Secretary of the Interior to use appropriated funds if necessary, in addition to other acquisition methods, to acquire from willing sellers Fern Lake and its surrounding watershed, in order to protect scenic and natural resources and enhance recreational opportunities at Cumberland Gap National Historical Park; and

(2) to allow the continued supply of water from Fern Lake to the city of Middlesboro, Kentucky, and environs.

SEC. 3. LAND ACQUISITION, FERN LAKE, CUMBERLAND GAP NATIONAL HISTORICAL PARK.

(a) DEFINITIONS.—In this section:

(1) FERN LAKE.—The term "Fern Lake" means Fern Lake located in Bell County, Kentucky, and Claiborne County, Tennessee.

(2) LAND.—The term "land" means land, water, interests in land, and any improvements on the land.

(3) PARK.—The term "park" means Cumberland Gap National Historical Park, as authorized and established by the Act of June 11, 1940 (54 Stat. 262; 16 U.S.C. 261 et seq.).

(4) SECRETARY.—The term "Secretary" means the Secretary of the Interior, acting through the Director of the National Park Service.

(b) ACQUISITION AUTHORIZED.—The Secretary may acquire for addition to the park lands consisting of approximately 4,500 acres and containing Fern Lake and its surrounding watershed, as generally depicted on the map entitled "Cumberland Gap National Historical Park, Fern Lake Watershed", numbered 380/80,004, and dated May 2001. The map shall be on file in the appropriate offices of the National Park Service.

(c) AUTHORIZED ACQUISITION METHODS.—

(1) IN GENERAL.—Notwithstanding the Act of June 11, 1940 (16 U.S.C. 261 et seq.), the Secretary may acquire lands described in subsection (b) by donation, purchase with donated or appropriated funds, or exchange. However, the lands may be acquired only with the consent of the owner.

(2) EASEMENTS.—At the discretion of the Secretary, the Secretary may acquire land described in subsection (b) that is subject to an easement for water supply facilities and equipment associated with the withdrawal and delivery of water by a utility from Fern Lake to the city of Middlesboro, Kentucky, and environs.

(d) BOUNDARY ADJUSTMENT AND ADMINISTRATION.—Upon the acquisition of land under this section, the Secretary shall revise the boundaries of the park to include the land in the park. Subject to subsection (e), the Secretary shall administer the acquired lands as part of the park in accordance with the laws and regulations applicable to the park.

(e) SPECIAL ISSUES RELATED TO FERN LAKE.—

(1) PROTECTION OF WATER SUPPLY.—The Secretary shall manage public recreational use of Fern Lake, if acquired by the Secretary, in a manner that is consistent with the protection of the lake as a source of untreated water for the city of Middlesboro, Kentucky, and environs.

(2) SALE OF WATER.—

(A) CONTRACT WITH UTILITY.—Upon the Secretary's acquisition of land that includes Fern Lake, the Secretary shall enter into a contract to sell untreated water from the lake to a utility that delivers and distributes water to the city of Middlesboro, Kentucky, and environs. The Secretary shall ensure